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8 Attorneys for Plaintiff
VERIGY US, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 VERIGY US, INC, a Delaware Corporation

14 Plaintiff,

15 vs.

16 ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
17 TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
18 California Limited Liability Corporation,
inclusive,

19 Defendants.
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Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Judge: Honorable Ronald M. Whyte
Ctrm: 6

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Documents Under Seal.

9 3. I have reviewed the following materials ("the Materials"): Portions of the
10 Memorandum of Points and Authorities in Opposition to Defendants' Motion for Summary
11 Adjudication and for Modification of Preliminary Injunction; Portions of the Memorandum of
12 Points and Authorities in Opposition to Defendants' Motion for Summary Adjudication as to
13 Verigy's Third-Fifth Claims for Relief; Portions of the Declaration of Wei Wei in Opposition to
14 Defendants' Motion for Summary Adjudication and for Modification of Preliminary Injunction
15 and Exs. B, D, and E thereto; Exhibits A-D of the Morton Decl. in Opposition to Defendants'
16 Motion for Summary Adjudication as to Verigy's Third-Fifth Claims for Relief; and Exs. A-C of
17 the Stebbins Decl. in Opposition to Defendants' Motion for Summary Adjudication and for
18 Modification of Preliminary Injunction.

19 4. I have determined that these Materials (hereafter "the Materials") disclose
20 information that has been designated as "Confidential" or "Highly Confidential – Attorneys' Eyes
21 Only" by the parties under the protective order, without objection to those designations (although
22 Verigy reserves its rights to challenge such designations pursuant to the Stipulated Protective
23 Order).

24 5. The confidentiality interest of the parties therefore overcomes the right of public
25 access to the record, as a substantial probability exists that the parties' overriding confidentiality
26 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
27 tailored and no less restrictive means exist to achieve this overriding interest.
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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and that this declaration was executed this 15th day of August, 2008
3 at San Jose, California.

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5 /s/
6 Melinda M. Morton
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